



**THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION
LUCKNOW**

Petition No. 2194 of 2025

QUORUM

Hon'ble Shri Arvind Kumar, Chairman

Hon'ble Shri Sanjay Kumar Singh, Member

IN THE MATTER OF

Petition under Section 63 of the Electricity Act, 2003 read with Clause 11.4 of the revised Guidelines of Ministry of Power dated 30.03.2016 for procurement of short-term Power (i.e. for a period of more than one day to one year), seeking Approval of Power Purchase Agreements and Adoption of Tariff discovered through Competitive Bidding for Procurement of 50MW non-solar renewable power on short-term basis for meeting its load requirements from 01.05.2025 to 30.09.2025 by NPCL.

AND

IN THE MATTER OF

Noida Power Company Limited (NPCL),

Plot No. ESS, Knowledge Park- IV,

Greater Noida, Uttar Pradesh - 201310.

..... Petitioner

FOLLOWING WERE PRESENT

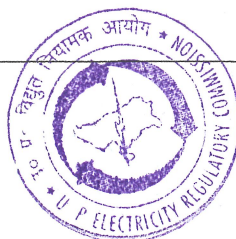
1. Sh. Sanket Srivastava, Head-Power Management, NPCL
2. Sh. R.K. Sharma, Resident Officer, NPCL
3. Sh. Ankur Dutt, Resident Officer, NPCL

ORDER

(DATE OF HEARING: 25.03.2025)

1. The Petitioner, NPCL has filed this Petition seeking adoption of Tariff and approval of PPAs for procurement of 50MW non-solar Renewable Power on short-term basis for meeting its load requirements from 01.05.2025 to 30.09.2025. The prayers of the Petitioner are as follows:

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- a) Adopt the Tariff (at Delivery Point) as mentioned in Table-10 in view of Section 63 of the Electricity Act, 2003 read with Clause 11.4 of the Short-Term Bidding Guidelines to enable the Petitioner to supply reliable power to its consumers at reasonable cost.
- b) Approve the Power Purchase Agreements executed on 11.02.2025.
- c) Approve the transmission charges and losses to be incurred on actuals subsequent to delivery point as per the applicable provisions of Bidding Document /Regulations /Orders.
- d) Condone inadvertent omissions/ errors/ rounding-off differences/ shortcomings, if any and permit the Petitioner to add/ alter this filing and make further submissions as may be required; and
- e) Pass any other Order(s) as this Commission may deem fit in the facts and circumstances of the case.

Brief facts as stated in the Petition.

2. NPCL has following long-term tie-up for supply of power during FY2025-26:

a) Long-term Arrangements

- i) 171MW RTC power from M/s DIL - approximately 158 MW RTC will be available at NPCL bus.
- ii) 25MW Solar Power from M/s Adani Solar Energy Chitrakoot One Limited - approximately 13-14 MW will be available during day hours at NPCL bus.
- iii) 25MW Solar Power from M/s Tata Power Renewable Energy Limited - approximately 13-14 MW will be available during day hours at NPCL bus.
- iv) 10MW Wind Power from M/s PTC India Limited - approximately 6-7 MW RTC will be available at NPCL bus.

b) Medium-term Arrangements

- i) 100 MW RTC power from M/s TPTCL – approximately 93 MW RTC will be available at NPCL bus.
- ii) 95 MW RTC power from M/s JITPL – approximately 88 MW RTC will be available at NPCL bus.

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iii) 25 MW RTC power from M/s Maadurga Thermal Power Ltd. and 25MW RTC power from M/s Manikaran Power Ltd. – approximately 46 MW RTC will be available at NPCL bus (Petition No. 2170/2024 is pending).

3. Based on the current demand trend and along with previous years' demand for power in the distribution area, the power demand as estimated and projected by NPCL from May'25 to Sept'25 is as below:

Duration (hrs.)	May'25	Jun'25	Jul'25	Aug'25	Sept'25
00-06	622	684	613	578	543
06-12	568	625	606	575	562
12-18	676	743	696	653	632
18-24	677	720	686	647	617
Average RTC	636	693	650	613	588

4. Against the above projected power demand, NPCL has already tied-up below quantum of power through various sources:

Duration (hrs.)	May'25	Jun'25	Jul'25	Aug'25	Sept'25
00-06	452	508	485	466	438
06-12	481	535	528	510	484
12-18	484	538	536	519	494
18-24	453	510	486	468	440
Average RTC	467	522	509	491	464

*50 MW Medium-term power is also considered in the above tied-up quantum for which a Petition No. 2170/2024 is pending for approval.

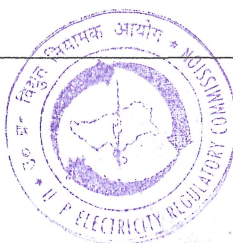
*Up to 125 MW Short-Term power is also considered in the above tied-up quantum for which the Petition is pending for approval.

5. Deficit vis-à-vis tied-up power during May-Sept'2025 is as below:

Duration (hrs.)	May'25	Jun'25	Jul'25	Aug'25	Sept'25
00-06	170	176	128	112	105
06-12	88	90	78	65	79
12-18	193	205	160	134	138
18-24	224	211	199	179	177
Average RTC	169	170	141	122	125

6. NPCL, in order to meet the above deficit, published a tender notice in the newspaper (i.e., *The Indian Express* and *Financial Express*) on 25.12.2024, inviting Bids from Generators, Captive Power Plants, Licensed Power Traders, State Utilities and Distribution Licensees for procurement of 50MW non-solar renewable power on Short-Term basis for meeting its load requirements from 01.05.2025 to 30.09.2025 in

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accordance with the Revised Guidelines for short-term dated 30.03.2016 issued by the Ministry of Power, Government of India as per its requirement as provided below:

Requisition No.	Period	Quantum at Delivery Point* (in MW)	Timings (Hrs.)	Minimum Bid Quantity (in MW)
1	01.05.2025 – 31.05.2025	50	00:00 to 24:00	5
2	01.06.2025 – 30.06.2025	50	00:00 to 24:00	5
3	01.07.2025 – 31.07.2025	50	00:00 to 24:00	5
4	01.08.2025 – 31.08.2025	50	00:00 to 24:00	5
5	01.09.2025 – 30.09.2025	50	00:00 to 24:00	5

*Note: 1) For inter-state transmission of power, the Delivery Point for the entire duration of the contract shall be CTU Periphery of Seller i.e. inter-connection of Seller with CTU.

2) For intra-state transmission of power, the Delivery Point for the entire duration of the contract shall be STU Periphery of Seller i.e. inter-connection of Seller with STU.

7. NPCL, in accordance with the Short-Term bidding guidelines, had appointed M/s PFC Consulting Limited (PFC) as its Authorized Representative for the purpose of uploading the Request for Proposal (RfP) on the DEEP portal. Further, PFC was also authorized by NPCL to open the technical and financial bids. RfP detailing all terms and conditions for supply of power to the Petitioner was prepared in coordination with PFC. The timelines adopted by the Petitioner for the bidding process are as follows:

S. No.	Event	Date/Time
1.	Publication of RfP/ Activation of Event	24.12.2024 at 17:00 Hrs.
2.	Last date of submission of RfP Bids including EMD	06.01.2025 at 13:00 Hrs.
3.	Opening of Non-financial Technical Bids	06.01.2025 at 14:00 Hrs.
4.	Opening of Initial Price Offers	07.01.2025 at 14:00 Hrs.
5.	Start of e-Reverse Auction	07.01.2025 at 15:00 Hrs.

8. NPCL formed a Bid Monitoring Committee and the Standing Committee consisting of the officials of the Petitioner for the purpose of bid evaluation. The non-financial bids were opened at 14:00 hrs (IST) on 06.01.2025 by the PFC on the DEEP Portal. On the last date of bid submission, total seven bids were received. The details are as follows:

Sl. No.	Name of the Trader	Name of Source
1	M/s PTC India Limited (PTC)	Lower Lagyap, Sikkim
2	M/s PTC India Limited (PTC)	Rabaom Chu, Sikkim
3	M/s PTC India Limited (PTC)	Meyong Chu, Sikkim
4	M/s PTC India Limited (PTC)	Khalez Khola, Sikkim
5	M/s PTC India Limited (PTC)	AA Energy Pvt Ltd, Maharashtra

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6	M/s PTC India Limited (PTC)	GoHP (NJHPS), Himachal Pradesh
7	M/s PTC India Limited (PTC)	NSL Sugars Limited, Koppa, Karnataka

9. During the evaluation of non-financial bids, Standing Committee found certain deficiencies in the bids submitted by M/s PTC. Accordingly, the Petitioner vide its e-mail dated 06.01.2025 sought clarifications from M/s PTC in accordance with Clause- 9.6 of the bid document, which was responded vide its e-mail dated 06.01.2025. Subsequent to the evaluation of the non-financial Bids, Financial Bids were first opened by PFC at Initial Price Offer (IPO) Stage at 14:00 Hrs on 07.01.2025 in accordance with the Short-Term Bidding Guidelines followed by an e-Reverse Auction on the same day. Result of the e-Reverse Auction are as follows:

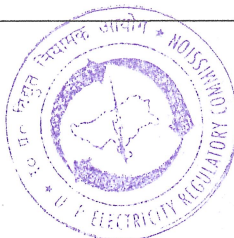
Sl. No.	Period	Requisition Quantum (MW)	Duration (Hrs.)	Bidder Name (Source)	Quantum (MW)	Quoted Rate (Rs/kWh)
1	May-25	50	00:00-24:00	PTC (Khalez Khola)	5	5.59
				PTC (Lower lagyap)	10	5.59
				PTC (Meyong Chu)	5	5.59
				PTC (Rabaom Chu)	5	5.59
				PTC (AA Energy)	9	6.30
2	Jun-25	50	00:00-24:00	PTC (Lower lagyap)	19	5.59
				PTC (Khalez Khola)	5	5.59
				PTC (Meyong Chu)	6	5.59
				PTC (Rabaom Chu)	11	5.59
				PTC (AA Energy)	9	6.30
3	Jul-25	50	00:00-24:00	PTC (GoHP-NJHPS)	50	5.48
4	Aug-25	50	00:00-24:00	PTC (GoHP-NJHPS)	50	5.48
5	Sep-25	50	00:00-24:00	PTC (Lower lagyap)	19	5.59
				PTC (Meyong Chu)	6	5.59
				PTC (Khalez Khola)	5	5.59
				PTC (Rabaom Chu)	11	5.59
				PTC (GoHP-NJHPS)	9	5.70
Total Wt. Average Rate (Rs. /kWh)						5.60

*Note: 1) The rates quoted by Bidders are at CTU Periphery of Seller i.e. interconnection of seller with CTU.

2) For inter-state transaction, all Open Access charges & losses up to the Delivery Point i.e. intra-state transmission charges & losses, scheduling & operating charges along with application/consent fee of SLDC for the Seller's State shall be borne by the Bidder. All other charges & losses beyond the Delivery Point i.e. CTU/PGCIL transmission charges & losses, scheduling & operating charges of any intervening RLDC, application fee of NRLDC, consent fee of UPSLDC, scheduling & operating charges of UPSLDC along with U.P. State transmission charges & losses, as applicable at the time of drawl of power shall be borne by the Procurer/NPCL.

10. NPCL is an Obligated Entity in terms of Regulation 2.1 (I) of the UPERC (Promotion of Green Energy through Renewable Purchase Obligation) Regulations, 2010 amended

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from time to time. The status of RPO compliance of the as on 31.03.2026 is presented below:

Sl. No.	Description	FY 2025-26
A	NPCL Sale (MUs)	4412
	Less: Hydro Power (Large)	0
B	Net Power Sale for RPO computation (MUs)	4412
C	Total Obligation (MUs)	662
	Solar	221
	Non-Solar	309
	Hydro Power (HPO)	132
D	Total Obligation fulfilled (MUs)	139
	Solar Power	106
	Non-Solar Renewable Power	33
	Hydro Power (HPO)	0
E	Net Obligation to be fulfilled: Deficit/(Excess)	523
	Solar	115
	Non-Solar	276
	Hydro Power (HPO)	132
F	Proposed Tie-up:	148
	Solar	0
	Non-Solar	148
	Hydro Power (HPO)	0
G	Closing Balance: Deficit/(Surplus)	375
	Solar	115
	Non-Solar	128
	Hydro Power (HPO)	132

11. It can be seen from the above table that the current tender will not only help NPCL in meeting the power requirement of its consumers, but it will also help NPCL in meeting the Non-Solar RPO targets in terms of Regulation 4.2 of the UPERC (Promotion of Green Energy through Renewable Purchase Obligation) Regulations, 2010. Even after procuring the power quantum requisitioned in the current tender, some deficit would still remain, which will be met from Power Exchanges. Accordingly, NPCL would try to tie-up more non-solar renewable power or will purchase Renewable Energy Certificates (RECs) for meeting its RPO Compliance.

12. NPCL apprised the Standing Committee about the recent short-term market trends for the duration 00:00–24:00 Hrs. as presented below:

a) DEEP Portal Rates for RTC Power:

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Utility Name	Type of Power	Month	Requisition Quantum (MW)	*Rate (Rs./kWh)	e-RA Date
NPCL	Wind	Apr'25 to Mar'26	100	No Bid	
KSEBL	Conventional	May'2025	300	7.41	12.07.2024
APPCC	Conventional	May'25 to June'25	1000	8.50 - 9.00	23.07.2024
APDCL	Conventional	Apr'25 to Mar'26	200	5.93-5.94	20.09.2024
MSEDCL	Conventional	May'2025	800	6.40 - 6.74	27.09.2024
APDCL	Conventional	Apr'25 to Mar'26	200	5.78-5.79	21.10.2024
NPCL	Wind	Apr'25 to Mar'26	100	5.50-6.49	24.10.2024
CESC	Conventional	May'25 to June'25	300	5.85-6.00	29.10.2024
APDCL	Conventional	May'25 to Sept'25	100	5.48-5.50	22.11.2024
TANGEDCO	Conventional	May'25	600	5.99-7.15	26.11.2024
BSES	Conventional	May'25 to Sept'25	Up to 600	5.49-6.48	03.12.2024
WBSEDCL	Conventional	May'25 to June'25	100	5.97-6.18	11.12.2024
CESC	Wind	Apr'25 to Mar'26	500	5.40-5.50	23.12.2024
GUVNL	Conventional	May'25 to June'25	800	5.95-6.82	10.01.2025
BSES	Conventional	Apr'25 to Sept'25	Up to 500	5.73-6.98	20.01.2025
APDCL	Conventional	Apr'25 to Sept'25	Up to 300	5.61-6.80	24.01.2025

**Rates are excluding Transmission Charges & Losses*

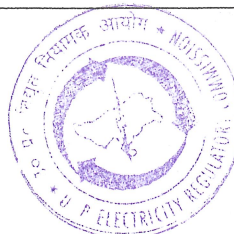
b) G-TAM Non-Solar Rates during May'24 to September'24 on IEX:

Month	May-24	Jun-24	Jul-24	Aug-24	Sept-24	Average
G-TAM RTC Rates*	7.98	5.81	6.45	6.14	7.08	6.69

**Rates are excluding Transmission Charges & Losses*

13. The Standing Committee was informed that barring the rate quoted by M/s PTC (AA Energy) for the months of May'25 and June'25, rest all other rates were quite competitive. Further, the Standing Committee benchmarked the discovered rates by other utilities on DEEP portal during May'25 to September'25. As evident from above, the rates discovered by NPCL is quite Competitive and reasonable considering the fact that it is non-solar renewable power. Accordingly, NPCL proposed to contract non-solar renewable power during May'25 to Sept'25 as per below details:

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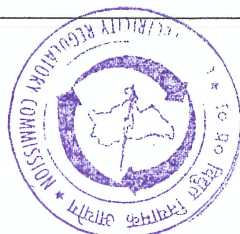
Sl. No.	Period	Requisition Quantum (MW)	Duration (Hrs.)	Bidder Name (Source)	Quantum (MW)	Quoted Rate at CTU Periphery of Seller (Rs/kWh)
1	May-25	50	00:00-24:00	PTC (Khalez Khola)	5	5.59
				PTC (Lower Lagyap)	10	5.59
				PTC (Meyong Chu)	5	5.59
				PTC (Rabaom Chu)	5	5.59
				Sub-Total	25	5.59
2	Jun-25	50	00:00-24:00	PTC (Lower Lagyap)	19	5.59
				PTC (Khalez Khola)	5	5.59
				PTC (Meyong Chu)	6	5.59
				PTC (Rabaom Chu)	11	5.59
				Sub-Total	41	5.59
3	Jul-25	50	00:00-24:00	PTC(GoHP-NJHPS)	50	5.48
				Sub-Total	50	5.48
4	Aug-25	50	00:00-24:00	PTC(GoHP-NJHPS)	50	5.48
				Sub-Total	50	5.48
5	Sep-25	50	00:00-24:00	PTC (Lower lagyap)	19	5.59
				PTC (Meyong Chu)	6	5.59
				PTC (Khalez Khola)	5	5.59
				PTC (Rabaom Chu)	11	5.59
				PTC(GoHP-NJHPS)	9	5.70
				Sub-Total	50	5.61
Total Wt. Average Rate (Rs. /kWh)						5.54

* Note: 1) The rates quoted by Bidders are at CTU Periphery of Seller i.e. interconnection of seller with CTU.

2) For inter-state transaction, all Open Access charges & losses up to the Delivery Point i.e. intra-state transmission charges & losses, scheduling & operating charges along with application/consent fee of SLDC for the Seller's State shall be borne by the Bidder. All other charges & losses beyond the Delivery Point i.e. CTU/PGCIL transmission charges & losses, scheduling & operating charges of any intervening RLDC, application fee of NRLDC, consent fee of UPSLDC, scheduling & operating charges of UPSLDC along with U.P. State transmission charges & losses, as applicable at the time of drawl of power shall be borne by the Procurer/NPCL.

14. The Standing Committee was also informed that even after considering above power, NPCL will remain within the limit of ARR Petition for FY 2025-26 as submitted by it before the Commission. The Standing Committee observed that the Wt. Average Rate for procurement of non-solar renewable power from May to September 2025 would be Rs. 5.54 per kWh at CTU Periphery of Seller (excluding inter-state and intra-state transmission charges & losses), which was quite competitive considering the recent power market trends. Further, since the proposed power was non-solar renewable power, it would help in meeting RPO compliance as well. In view of the above

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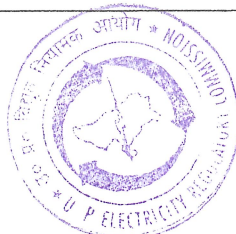
observations, Standing Committee recommended to procure power from 01.05.2025 to 30.09.2025 from the successful bidder shortlisted through the bidding process as mentioned in the Table above.

15. The Standing Committee has duly certified that the bid evaluation has been done as per the provisions of revised Short-Term Bidding Guidelines issued by MoP and RfP issued therein. NPCL issued five Letter of Awards (LoA) dated 26.01.2025 to M/s PTC India Limited (Seller: GOHP – NJHPS, Himachal Pradesh, Seller: Khalez Khola, Sikkim, Seller: Lower Lagyap, Sikkim, Seller: Meyong Chu, Sikkim, and Seller: Rabaom Chu, Sikkim) for procurement of non- solar renewable power subject to the approval of this Commission. NPCL has accordingly entered into five PPAs with the successful bidders on 11.02.2025.

Records of Proceedings:

16. On the hearing dated 25.03.2025, Sh. Sanket Srivastava on behalf of NPCL submitted that instant Petition is for approval of short-term procurement of 50MW non-solar renewable power (i.e., hydro power) from 01.05.2025 to 30.09.2025 discovered under TBCB process on DEEP portal. On specific query of the Commission regarding single bidder (i.e., M/s PTC), Sh. Srivastava responded that successful selected bidder has multiple suppliers and the discovered tariff of Rs. 5.54 per unit was lucrative looking at the short-term market rates at DEEP Portal and G-TAM for Non-Solar renewable power. He accordingly requested the Commission for its approval in view of upcoming peak demand season.
17. Regarding the query of the Commission in other similar matter of power procurement, with respect to opting CTU periphery for quoting quantum & price of power and evaluating the bid at NPCL periphery, Sh. Sanket Srivastava reiterated its submission, as made in those case, clarifying that as per CERC General Network Access (GNA) Regulations, 2022, the inter-state transmission charges are to be paid by drawee DICs based on the GNA allocated to it. Further, the transmission charges payable are a fixed cost directly proportional to the GNA allocated to drawee entity. In the event the Petitioner's power scheduling requirements exceed its allocated GNA, the Petitioner shall schedule power under an additional Temporary-GNA ("T-GNA") at a rate over and

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above the pre-existing GNA charges. Thus, the quantum of power drawn from GNA or T-GNA is difficult to predict in advance.

Commission's View

18. NPCL has filed this Petition seeking approval of procurement of 50MW non-Solar renewable power under Tariff-based Competitive Bidding process on short-term basis for 5 months along with approval of PPAs dated 11.02.2025. This power procurement will help NPCL in meeting the power requirement of consumers as well as in meeting the Non-Solar RPO targets.
19. Clause 11.4 of the Short-term Guidelines dated 30.03.2016 states as follows:
"11.4. If the quantum of power procured and tariff determined are within the blanket approval granted by the Appropriate Commission in Annual Revenue Requirement (ARR) of the respective year, then the same will be considered to have been adopted by the Appropriate Commission."
20. Section 63 of the Electricity Act, 2003, states that the Commission shall adopt the tariff arrived through transparent process of bidding in accordance with guidelines issued by Central Government. The said provision is reproduced below:
"Section 63 (Determination of tariff by bidding process): Notwithstanding anything contained in section 62, the Appropriate Commission shall adopt the tariff if such tariff has been determined through transparent process of bidding in accordance with the guidelines issued by the Central Government."
21. The Commission feels that if it stresses on the requirement of minimum two bidders, as per clause 7.1 of the Short-term guidelines dated 30.03.2016, then it might delay the bid process by another 2-3 months, which will incapacitate the distribution licensee from procuring the power from 01.05.2025 and in all likelihood the fresh discovered price may go beyond the present discovered tariff thus leading to increase in power purchase cost of NPCL thus, in larger consumer interest, the Commission approves the power procurement of 50MW non-Solar renewable power (i.e., hydro power) at the weighted average tariff of Rs. 5.54/kWh as specified at para 13 of this Order for the period 01.05.2025 to 30.09.2025. The Commission also approves the PPAs dated 11.02.2025 executed between NPCL & M/s PTC India Ltd. **However, NPCL should be cautious in deviating Guideline No. 7.1 of the MoP Guidelines dated 30.03.2016 for future bids and in case of Single Bidder, NPCL shall extend the**

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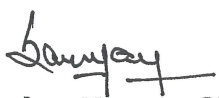
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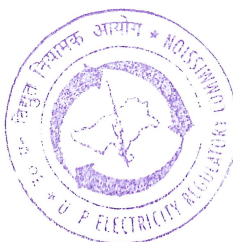


bid submission timeline at least once before finalising the bidding process. NPCL apologised for its faux-pas and submitted that such folly would not occur in future.

22. Regarding selecting the CTU periphery for quoting quantum price in the bid, the Commission has noted that had the Petitioner invited the bids at NPCL periphery then the Petitioner would have relied on the inter-state transmission charges and losses on the prevailing rates at the time of bid submission and would have deducted the aforesaid transmission charges and losses to bring the rate equivalent at CTU periphery for inter-state suppliers and STU periphery for intra-state suppliers for commercial settlement of energy bills and power scheduling.
23. Therefore, to avoid the complexities of apportioning the GNA charges and/or T-GNA charges to a particular supplier, the Petitioner invited the Bids at CTU Periphery rather than NPCL Periphery. However, the Commission while appreciating the difficulty faced by the Petitioner, directs the Petitioner to invite bids, in future, at STU periphery of U.P. for intra-state generators (connected to U.P. STU) and at CTU periphery of seller in case of inter-state generators and clearly specify the transmission charges & losses to be applied as per applicable Regulations of the appropriate Commission at the time of evaluation of bid. NPCL is also directed to stipulate in the bid document that evaluation criteria shall be NPCL periphery for all generators so that intra-state generators, if any, would be able to bid competitively and the Petitioner would also get benefitted.

The Petition stands disposed of in terms of above.


(Sanjay Kumar Singh)
Member




(Arvind Kumar)
Chairman

Place: Lucknow
Dated: 03.04.2025

